

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

ALLISON COLLIER,

Plaintiff,

v.

UNIVERSAL FIDELITY LP, et al.,

Defendants.

**CIVIL ACTION NO. 2:07-cv-
00922-MHT-CSC**

**MOTION OF HSBC BANK NEVADA, N.A. FOR ADDITIONAL
EXTENSION OF TIME TO FILE A RESPONSIVE PLEADING**

COMES NOW defendant HSBC Bank Nevada, N.A. ("HSBC") and hereby moves this Court to extend the time to file a responsive pleading for an additional seven (7) days beyond the current due date of Wednesday, May 28, 2008. As grounds for the requested additional extension, HSBC states as follows:

1. Despite exercising diligence in searching for the records relating to plaintiff Allison Collier ("Plaintiff"), HSBC has not been able to locate Plaintiff's records. This is due to the fact that that HSBC has identified two Parisian cardholder accounts in the State of Alabama where the cardholder is named Allison Collier, but these two accounts have different social security numbers. HSBC has inquired of Plaintiff's counsel to obtain more identifying information so

as to distinguish between the two accounts and determine which account is Plaintiff's, but has yet to receive a response to its request.

2. HSBC also believes that there may be an arbitration agreement contained in its credit card agreement with Plaintiff, but has yet to locate Plaintiff's agreement so as to make that determination. In the event that Plaintiff's agreement with HSBC has an arbitration agreement, it is the intention of HSBC to consider filing a motion to compel arbitration. The requested additional extension should enable HSBC to obtain the appropriate agreement and any supportive evidence that is necessary to support a motion to compel arbitration should HSBC chose to file one.

3. In addition to being potentially subject to arbitration, HSBC believes that all of Plaintiff's claims against HSBC fail to state a claim upon which relief may be granted. However, HSBC is reluctant to file a motion to dismiss prior to determining whether or not the claims are arbitrable on account of the potential for a waiver of its arbitration rights.

4. Plaintiff should not be prejudiced by a short additional extension of time in which to ascertain the necessary information.

WHEREFORE, PREMISES CONSIDERED, HSBC respectfully requests that this Court enter an order giving HSBC an additional seven (7) days beyond the

current due date of Wednesday, May 28, 2008 or until Wednesday, June 4, 2008 to file a responsive pleading in this matter.

s/R. Frank Springfield

John R. Chiles (CHI006)

R. Frank Springfield (SPR024)

Attorneys for Defendant

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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing document by Notice of Electronic Filing, or, if the party served does not participate in Notice of Electronic Filing, by U.S. First Class Mail, hand delivery, fax or email on this the 27th day of May, 2008:

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s/R. Frank Springfield
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